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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**

5 * * *

6 Sydney Ellerbe,

7 Plaintiff,

8 v.

9 Schulman Properties; Winnie Schulman; and
10 Tuscan Highlands, LLC,

11 Defendants.

Case No. 2:24-cv-00554-APG-DJA

Order

12 Before the Court are pro se Plaintiff Sydney Ellerbe's motions to extend the deadline for
13 service. (ECF Nos. 14, 15). Plaintiff explains that he never received the Court's order screening
14 Plaintiff's complaint and ordering service. The Court finds that Plaintiff has shown good cause to
15 extend the deadline to serve Defendants. *See* Fed. R. Civ. P. 4(m). So, the Court will re-send
16 Plaintiff the Court's prior order and will order service.

17 **IT IS THEREFORE ORDERED** that Plaintiff's motions to extend the deadline for
18 service (ECF Nos. 14, 15) are **granted**. The service deadline shall be extended to **October 14,**
19 **2025**.

20 **IT IS FURTHER ORDERED** that, because Plaintiff is proceeding without paying the
21 filing fee under 28 U.S.C. § 1915, he is entitled to rely on the United States Marshal's Service
22 ("USMS") for service. *See* Fed. R. Civ. P. 4(c)(3).

23 **IT IS FURTHER ORDERED** that the Clerk of Court is kindly directed to send the
24 following the USMS for service:

- 25
- Three copies of the amended complaint filed at ECF No. 9.
 - The summonses issued to Tuscan Highlands LLC; Schulman Properties; and Winnie Schulman filed at ECF No. 11.
 - A copy of this order.
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1 **IT IS FURTHER ORDERED** that the Clerk of Court is kindly directed to send Plaintiff
2 the following:

- 3 • A copy of the Court's prior order filed at ECF No. 10.
4 • A copy of the amended complaint filed at ECF No. 9.
5 • A copy of this order.
6 • Three blank copies of the Form USM-285.¹

7 **IT IS FURTHER ORDERED** that Plaintiff must complete one USM-285 form for each
8 Defendant and provide an address where each Defendant can be served with process. Plaintiff
9 shall have until **August 5, 2025**, to provide his completed USM-285 forms to the USMS.

10 **IT IS FURTHER ORDERED** that upon receipt of the issued summons, the USM-285
11 forms, and the operative complaint, the USMS shall attempt service upon Defendants.

12 **IT IS FURTHER ORDERED** that, within twenty-one days after receiving from the
13 USMS a copy of the form USM-285 showing whether service has been accomplished, Plaintiff
14 must file a notice with the Court identifying whether the Defendants were served. If Plaintiff
15 wishes to have service again attempted on an unserved Defendant, he must file a motion with the
16 Court identifying the unserved Defendant and specifying a more detailed name and/or address for
17 said Defendant or whether some other manner of service should be attempted.

18
19 DATED: July 15, 2025,

20 
21 _____
22 DANIEL J. ALBREGTS
23 UNITED STATES MAGISTRATE JUDGE
24
25
26

27 _____
28 ¹ The USM-285 form is also available at: <https://www.usmarshals.gov/resources/forms/usm-285-us-marshals-process-receipt-and-return>.